

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**TIMOTHY BERNARD EDWARD)
PLAINTIFF,)
)
v.)
)
)
)
)
**ANTHONY CLARK and BRETT HOLMES,)
DEFENDANTS.)****

2:06-CV-298-MHT

DEFENDANT BRETT HOLMES' MOTION TO EXTEND TIME

COMES NOW, Defendant, Brett Holmes, in the above-styled case, and requests that this Honorable Court extend the time for filing of his Special Report by thirty (30) days. In support thereof, Defendant states as follows:

1. Currently, this Defendant's Special Report is due on June 20, 2006.
2. Counsel for this Defendant is required to be out of state for four days during this month, after which his wife is having major surgery.
3. Counsel for this Defendant has met with his client but needs additional time to meet with the other officers involved in the arrest.
4. Counsel for this Defendant also requires additional time to gather and certify further information in order to fully prepare a special report.
5. No party will be prejudiced as a result of the granting of an extension of time.

WHEREFORE, premises considered, Defendant requests that this Honorable Court Extend the time for him to file an Answer and Special Report to July 20, 2006.

Respectfully submitted this the 9th day of June, 2006.

**DEFENDANT BRETT HOLMES' MOTION TO EXTEND TIME
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/s/ R. Todd Derrick
R. Todd Derrick (DER006)
Attorney for the Defendant, Brett Holmes

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing with the Clerk of the Court using the CM/EFC system which will send notification of such filing to the following:

Scott Wayne Gosnell, Esquire
Webb & Eley
Post Office Box 240909
Montgomery, Alabama 36124
(334) 262-1850

I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/EFC participant:

Timothy Bernard Edward
Covington County Jail
290 Hillcrest Drive
Andalusia, Alabama 36420

This the 9th day of June, 2006.

/s/ R. Todd Derrick
R. Todd Derrick